

PLANNING COMMISSION MINUTES

October 11, 2000

CALL TO ORDER:

Chairman Dan Maks called the meeting to order at 7:02 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL:

Present were Chairman Dan Maks; Planning Commissioners Bob Barnard, Chuck Heckman, Eric Johansen, Brian Lynott and Vlad Voytilla. Planning Commissioner Sharon Dunham was excused.

Senior Planner John Osterberg, Planning Consultant Sally Rose, Assistant City Attorney Ted Naemura, Operations Supervisor Ron Koppel and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Maks, who presented the format for the meeting.

VISITORS:

Chairman Maks asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

STAFF COMMUNICATIONS:

On question, staff indicated that there were no staff communications at this time.

MISCELLANEOUS BUSINESS:

Chairman Maks introduced and welcomed newly appointed Planning Commissioner Brian Lynott, who is replacing Planning Commissioner Betty Bode, who resigned, effective today. He expressed his appreciation of Ms. Bode's efforts, adding that other obligations made it impossible to continue to serve in this capacity.

OLD BUSINESS:

Chairman Maks opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of

the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

CONTINUANCE:

A. CITY OF BEAVERTON OPERATIONS CENTER EXPANSION CPA AND REZONE

(Continued from October 4, 2000)

The following land use applications have been submitted for Comprehensive Plan Amendment and Rezone on a parcel located at 6685 SW Scholls Ferry Road. The development proposal is located on Assessor's Map 1S1-23BD, on Tax Lot 200. The site is currently designated "All Other Commercial Districts" and is zoned Neighborhood Service Center (NS) and is approximately .55 acres.

1. CPA2000-0007 – COMPREHENSIVE PLAN AMENDMENT (CPA)

Request for a Comprehensive Plan Amendment (CPA) to change the City's Comprehensive Plan designation from All Other Commercial Districts to Industrial Park.

2. RZ2000-0009 – REZONE (RZ)

Request for a Rezone approval to change the City's zoning designation from Neighborhood Service Center (NS) to Industrial Park (IP).

On question, Senior Planner John Osterberg indicated that no film is available of the site.

Commissioners Heckman, Voytilla, Barnard and Johansen and Chairman Maks all indicated that they had visited the site and had not had any contact with anyone regarding this application.

Mr. Osterberg introduced Sally Rose, Planning Consultant contracted to prepare the Staff Report on behalf of the applicant, the City of Beaverton. He described the property, observing that it is proposed that the designation be changed from NS to IP. As indicated in the title of the application, the City of Beaverton does plan a future expansion of the Operations Center, although this has no bearing on these applications.

APPLICANT:

SALLY ROSE, SR Enterprises, Contract Planner for the City of Beaverton, described the 0.55-acre parcel of property owned by the City, located next to the current Operations Center. She provided a brief history of the site and the existing operations center, highlighting the plan policies currently in effect in this area. Noting that Hobson Ferrarini had performed the market analysis, she

1 mentioned that both Steve Ferrarini and Howard Stein are present to provide a
2 presentation and respond to any questions or comments. She observed that the
3 floodplain and wetlands in the area give the impression that more property is
4 available for expansion than is actually available, adding that wetland, floodplain
5 and topographical constraints must be taken into consideration. She stated that
6 this property is better suited to industrial use than commercial use, emphasizing
7 that this would create approximately 1,650 fewer vehicular trips per day.
8

9 Ms. Rose addressed two issues that are not relevant to these proceedings, adding
10 that she feels responsible to respond to these issues that have been raised. She
11 referred to the Fanno Creek Multi-Use Path, which is designated on the
12 Comprehensive Plan without a specific location, adding that the purpose of this
13 proposed path is to connect from the creek to the south to the existing bike path
14 along Allen Boulevard. Staff had considered several options for connecting the
15 two existing pieces of this path, adding that they had identified their preference on
16 the west side of the subject property. She emphasized that this location is not
17 ideal for the Operations Center, in terms of managing that entire site. She noted
18 that she and the Operations Center staff has been in contact with staff, Metro and
19 the Tualatin Hills Parks and Recreation District (THPRD), adding that it is clear
20 that during a future site development process, the exact alignment and
21 development of this path will be determined. She addressed the second issue that
22 is not relevant to these proceedings, specifically access onto Scholls Ferry Road,
23 adding that this road is under the jurisdiction of Washington County. She
24 commented that the traffic analysis had only provided for access onto Allen
25 Boulevard, adding that access onto Scholls Ferry Road does not meet the county's
26 access separation standards. She expressed her opinion that it might be
27 advantageous for the Operations Center to pursue access onto Scholls Ferry Road
28 at some future time. Concluding, she observed that Steve Farrarini, representing
29 Stein Engineering; Howard Stein, representing Hobson Ferrarini; Ron Koppel of
30 the Operations Center and herself are available to respond to any questions or
31 comments.
32

33 Commissioner Heckman referred to page 18 of the CPA 2000-0007 Staff Report,
34 specifically the number of trips per hour. Expressing his opinion that 1650 trips
35 per hour is a lot of trips, he challenged this statement and requested clarification.
36

37 **HOWARD STEIN**, Principal Engineer for Stein Engineering, directed attention
38 to pages 10 and 11 of the exhibits and described the method utilized to determine
39 trip generation. He noted that the analysis assumes a worst case scenario of use
40 that could conceivably come to the site, which was determined to be a
41 convenience market and industrial park use. He pointed out that convenience
42 markets do generate a great amount of trips in and out of a site during the peak
43 hours, noting that the numbers indicated include trips both into and out of the site.
44

45 Commissioner Heckman requested a trip generation comparison of a convenience
46 market and a fast food operation.

1
2 Mr. Stein advised Commissioner Heckman that he believes the trip generation of
3 a convenience market and a fast food operation is fairly similar.
4

5 Commissioner Heckman commented that he finds it hard to believe that this much
6 traffic would be generated for a convenience store, adding that he has not
7 observed anything approaching those numbers at any of these sites.
8

9 Mr. Stein advised Commissioner Heckman that he wouldn't be surprised if the
10 trip generation is actually higher, adding that with so much traffic passing by the
11 site, there is an increased likelihood of someone stopping, particularly if they
12 notice a vacant parking spot. He emphasized that these are average rates,
13 dependent upon each specific location.
14

15 Noting that he is in agreement with the anticipated trip generations, Chairman
16 Maks requested a definition of what this proposed industrial park will look like.
17

18 Mr. Stein described the proposed industrial park as not so much office-type use,
19 adding that it would include more pre-fabrication and assembly type use.
20

21 Chairman Maks questioned whether this would resemble the area off of Highway
22 217 and Denney Road.
23

24 Mr. Stein agreed with Chairman Maks, adding that the area would be similar to
25 the area along Hall Boulevard, not the south side of Nimbus Avenue, which is
26 office, but the north side, which is more of an industrial/assembly/fabrication-type
27 use.
28

29 Chairman Maks observed that code under Industrial Park had been changed
30 approximately 18 months ago, in order to allow storage of outside vehicles for
31 public agencies.
32

33 Mr. Stein advised Chairman Maks that he would typically go to an agency to
34 determine the reasonable case use, based upon a market analysis.
35

36 Commissioner Heckman commented that he accepts Mr. Stein's information,
37 adding that he would like clarification of how they came about. He referred to
38 page 12 of the Staff Report, specifically Goal 13, requesting clarification of
39 Metro's Primary Transit Network, as applied in this specific area.
40

41 Ms. Rose informed Commissioner Heckman that she believes that this term has
42 been assigned to a system they want along Allen Boulevard, adding that this
43 phrase had come directly out of the Comprehensive Plan.
44

45 Commissioner Heckman referred to the last paragraph on page 17 of the Staff
46 Report, specifically the nearest neighborhood service center, which is located at

1 the intersection of Allen Boulevard and Denney Road, and questioned at which
2 location Allen Boulevard and Denney Road intersect.

3
4 Ms. Rose commented that she would have to check the map for this information.

5
6 Commissioner Heckman questioned whether anyone knows where Allen
7 Boulevard and Denney Road intersect.

8
9 Chairman Maks pointed out that Allen Boulevard and Denney Road do not
10 intersect.

11
12 Ms. Rose checked the map, indicating that the correct intersection would be
13 Lombard Street and Allen Boulevard.

14
15 Commissioner Heckman referred to page 5 of the Staff Report, requesting
16 clarification of the comment that Scholls Ferry Road is slated for street widening
17 to 2/3 lanes.

18
19 Ms. Rose indicated that this information is on a chart in the Comprehensive Plan.

20
21 Commissioner Heckman observed that he would like to know what 2/3 means.

22
23 Chairman Maks advised Commissioner Heckman that 2/3 indicates two lanes
24 with a center turn lane.

25
26 Commissioner Heckman commented that this is the current situation.

27
28 Ms. Rose informed Commissioner Heckman that she had read the street master
29 plan and this is what was slated for an improvement.

30
31 Commissioner Voytilla referred to page 6 of the Staff Report for of CPA 2000-
32 0007, specifically Public Facilities and statements regarding adequate services.
33 Noting that she had referenced Exhibit J, he mentioned that his Exhibit J consists
34 of a blank piece of paper and questioned whether any agency comments had been
35 received.

36
37 Referring to Exhibit J as a placeholder in the event that any comments are
38 received, Mr. Osterberg emphasized that no supplemental agency comments have
39 been received prior to the hearing.

40
41 Commissioner Voytilla observed that staff has made a specific statement that
42 adequate services are there, questioning how this statement could be made
43 without the receipt of any comments from the responsible agencies.

44

1 Mr. Osterberg noted that all public facilities, such as utilities and other
2 infrastructure, are in place, adding that although other agencies may occasionally
3 submit comments, none have been received regarding this application.
4

5 Commissioner Voytilla mentioned that this has been a problem over the last few
6 meetings, expressing his concern that staff needs to make certain that they follow
7 up on comments from other agencies.
8

9 Mr. Osterberg advised Commissioner Voytilla that comments are not always
10 expected from other agencies, adding that because this property is not
11 residentially zoned, no comments would be expected from the school district.
12

13 Commissioner Heckman questioned whether this is covered in the pre-application
14 conference notes.
15

16 Mr. Osterberg clarified that comments have not been received and are not
17 expected.
18

19 Commissioner Voytilla referred to Exhibit K, specifically comments from the
20 Neighborhood Meeting.
21

22 Ms. Rose advised Commissioner Voytilla that Exhibit F includes the comments
23 from the Neighborhood Meeting.
24

25 Commissioner Voytilla referred to Exhibit F, specifically concern about trucks
26 and noise and a comment indicating that these are not significant problems.
27

28 Ms. Rose advised Commissioner Voytilla that these issues had been discussed at
29 the Neighborhood Meeting, noting that one neighbor had discussed the issue with
30 Ron Koppel and determined that there was not a significant problem.
31

32 Commissioner Voytilla questioned receipt of any telephone inquiries from site
33 posting for the Public Hearing.
34

35 Ms. Rose indicated that no telephone inquiries had been generated by the site
36 posting for the Public Hearing.
37

38 Commissioner Voytilla observed that the telephone number for Ms. Rose that had
39 been posted on the sign is from out of the local area, noting that this may have had
40 some effect upon response.
41

42 Ms. Rose advised him that this same telephone number had been posted at the
43 Hall/Metz site, adding that she had received telephone calls regarding that
44 application.
45

1 On question, Commissioner Barnard indicated that he had no comments or
2 questions at this time.

3
4 Observing that this is not relevant to any decision, Commissioner Johansen
5 referred to access rights to Scholls Ferry Road, specifically what creates those
6 rights.

7
8 Ms. Rose observed that the current parcel, if it were not a part of the existing
9 Operations Center, only has access onto Scholls Ferry Road, noting that some
10 accommodation would have to be made, even though this site does not meet the
11 spacing standards.

12
13 Chairman Maks emphasized that a property owner has the right to access his
14 property.

15
16 Ms. Rose observed that this is the only option available.

17
18 Chairman Maks commented that when and if an application is submitted, he does
19 not want to see the City seek access onto Scholls Ferry Road, adding that if such
20 an application is presented before the Board of Design Review, he intends to
21 testify in opposition.

22
23 Commissioner Heckman questioned whether this could be conditioned,

24
25 Chairman Maks informed Commissioner Heckman that this could be conditioned,
26 but he prefers not to take such an action at this time.

27
28 Mr. Osterberg agreed that this potential Condition of Approval could be included.

29
30 Commissioner Heckman questioned whether such a Condition of Approval would
31 involve the Comprehensive Plan Amendment or the Rezone.

32
33 Mr. Osterberg noted that although this Condition of Approval could potentially be
34 included in either application, perhaps the RZ would be better, adding that this is
35 more specific to a particular zone as opposed to being generic to all industrial
36 zones. He recommended that the Planning Commission not take this action
37 unless there are very specific findings indicating that there is something very
38 unique about this particular industrial zone or its location that speaks to the issue
39 of access.

40
41 Chairman Maks referred to the trip generation of an industrial park, noting that it
42 would not meet Washington County access or visual standards.

43
44 Commissioner Heckman observed that he had based his criteria based on the
45 effort and research invested by Mr. Stein, specifically the 1,650 trips per day.

46

1 **PUBLIC TESTIMONY:**

2
3 **CAROLYN SHARP**, representing the Tualatin Hills Parks and Recreation
4 District (THPRD), described their interest in these applications, and submitted a
5 letter from Ronald D. Willoughby, General Manager of THPRD, expressing
6 appreciation of the proposed Fanno Creek Trail that will run through the subject
7 property.
8

9 Commissioner Heckman questioned who is presently responsible for the
10 maintenance of this trail.
11

12 Observing that this trail does not yet exist, Ms. Sharp stated that THPRD is
13 attempting to acquire this property from Metro. On question, she informed
14 Commissioner Heckman that THPRD would be requesting an easement from
15 present owner to build this path.
16

17 On question, staff City Attorney Naemura indicated that he had no final
18 comments at this time.
19

20 **RON KOPPEL**, Supervisor for City of Beaverton's Operations Center, noted
21 that this site has been at this location for 21 years and every possible expansion
22 effort has been made. He mentioned that through intergovernmental agreements,
23 the City of Beaverton has materials stored with the State of Oregon, the City of
24 Tualatin and the City of Tigard, adding that all options have been exhausted.
25

26 Chairman Maks emphasized that the issue is a Comprehensive Plan Amendment,
27 not a discussion on the Operations Center.
28

29 Mr. Koppel informed Chairman Maks that he is aware of this, adding that he is
30 expressing support of the zone change and hopes that it is approved.
31

32 Mr. Osterberg referred to an earlier question regarding what is meant by the term
33 Primary Transit Network, noting that this is referenced in the Comprehensive
34 Plan. Allen Boulevard is identified as part of the Primary Transit Network
35 identified on Metro's Regional Transportation Plan (the RTP).
36

37 On question, staff indicated that they had no further questions or comments at this
38 time.
39

40 The public portion of the Public Hearing was closed.
41

42 Chairman Maks expressed his support of the applications, which meet applicable
43 criteria, he emphasized the need for parking, improvements to traffic flow and
44 additional industrial property.
45

Commissioner Heckman expressed his support of the applications, noting that they meet the six criteria outlined on page 26. Observing that citizens are always looking for more services, he expressed his opinion that this small parcel could be very adequately used to serve the existing Operations Center.

Expressing his support of the applications, Commissioner Voytilla stated that they meet the criteria and that he agrees with the comments of Chairman Maks and Commissioner Heckman.

Commissioner Johansen expressed his support of the applications, which he feels meet the applicable criteria.

Agreeing with the comments of his fellow Commissioners, Commissioner Barnard expressed his support of the applications.

Commissioner Barnard **MOVED** and Commissioner Johansen **SECONDED** a motion to approve CPA 2000-0007 -- City of Beaverton Operations Center Expansion Comprehensive Plan Amendment, based upon the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts, findings and conclusions found in the Staff Report dated August 31, 2000.

Motion **CARRIED**, unanimously, with the exception of Commissioner Lynott, who abstained from voting on this issue.

Commissioner Barnard **MOVED** and Commissioner Voytilla **SECONDED** a motion to approve RZ 2000-0009 -- City of Beaverton Operations Center Expansion Rezone, based upon the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts, findings and conclusions found in the Staff Report dated August 31, 2000.

Motion **CARRIED**, unanimously, with the exception of Commissioner Lynott, who abstained from voting on this issue.

APPROVAL OF MINUTES:

Minutes of the meeting of August 2, 2000, submitted. Commissioner Voytilla referred to line 16 of page 3, requesting that the minutes be amended to reflect that he was serving in the capacity of Vice-Chairman, rather than Co-Chairman. Commissioner Voytilla referred to lines 4, 5 and 6 of page 18, requesting that the minutes be amended to reflect that he had specifically warned her not to address any issues regarding *Habitat for Humanity*. Commissioner Voytilla **MOVED** and Commissioner Barnard **SECONDED** a motion that the minutes be approved, as amended.

1 Motion **CARRIED**, unanimously, with the exception of Chairman Maks and
2 Commissioner Lynott, who abstained from voting on this issue.

3
4 Minutes of the meeting of August 9, 2000, submitted. Commissioner Johansen
5 referred to line 14 of page 6, requesting that the minutes be amended to reflect
6 that he had expressed his opinion, rather than concern. Commissioner Johansen
7 referred to line 17 of page 11, requesting that the minutes be amended, as follows:
8 "...noting that he does not support this application ~~that~~ **as it** does not meet the
9 applicable criteria." Commissioner Heckman referred to line 44 of page 12,
10 requesting that the minutes be amended to reflect the date July 12, 2000, rather
11 than July 14, 2000. Commissioner Barnard referred to line 3 of page 12,
12 requesting that the minutes be amended, as follows: "...this area is congested ~~and~~
13 ~~he would like further information.~~" Commissioner Heckman **MOVED** and
14 Commissioner Johansen **SECONDED** a motion that the minutes be approved, as
15 amended.

16
17 Motion **CARRIED**, unanimously, with the exception of Commissioner Lynott,
18 who abstained from voting on this issue.

19
20 Minutes of the meeting of August 16, 2000, submitted. Commissioner Voytilla
21 referred to line 7 of page 6, requesting that the minutes be amended, as follows:
22 "...bridges could be **for** pedestrian or railroad..." Commissioner Johansen
23 **MOVED** and Commissioner Barnard **SECONDED** a motion that the minutes be
24 approved, as amended.

25
26 Motion **CARRIED**, unanimously, with the exception of Commissioner Lynott,
27 who abstained from voting on this issue.

28
29 Minutes of the meeting of August 23, 2000, submitted. Chairman Maks referred
30 to line 2 of page 14, requesting that the minutes be amended, as follows: "...the
31 level of service at the intersection at 173rd Avenue, **specifically whether both a**
32 **convenience store and a fast-food restaurant could be placed on this site.**"
33 Chairman Maks referred to line 9 of page 14, requesting that the minutes be
34 amended, as follows: "Chairman Maks reminded Mr. Sandblast that **this is not**
35 **the maximum use for the site and** the Planning Commission is rezoning the
36 land, not the most likely **most likely** applicant." Commissioner Voytilla
37 **MOVED** and Commissioner Barnard **SECONDED** a motion that the minutes be
38 approved, as amended.

39
40 Motion **CARRIED**, unanimously, with the exception of Commissioners Johansen
41 and Lynott, who abstained from voting on this issue.

42
43 Minutes of the meeting of August 30, 2000, submitted. Commissioner Heckman
44 referred to line 6 of page 10, requesting that the minutes be amended, as follows:
45 "...because ~~he~~ **the** Planning Commission..." Commissioner Barnard **MOVED**

1 and Commissioner Voytilla **SECONDED** a motion that the minutes be approved,
2 as amended.

3
4 Motion **CARRIED**, unanimously, with the exception of Commissioner Lynott,
5 who abstained from voting on this issue.

6
7 Minutes of the meeting of September 20, 2000, submitted. Commissioner
8 Johansen **MOVED** and Commissioner Voytilla **SECONDED** a motion that the
9 minutes be approved, as written.

10
11 Motion **CARRIED**, unanimously, with the exception of Commissioner Lynott,
12 who abstained from voting on this issue.

13
14 Commissioner Heckman expressed his opinion that it is amazing that so few
15 corrections had to be made to this amount of minutes.

16
17 **MISCELLANEOUS BUSINESS:**

18
19 Mr. Naemura observed that at 1:00 p.m. Thursday, October 12, 2000, oral
20 arguments would be presented for the appeal of the City Park Expansion, adding
21 that this will take place at the Land Use Board of Appeals (LUBA) and that
22 further information is available from the office of the City Attorney.

23
24 Chairman Maks questioned the status of the Haggen appeal.

25
26 Mr. Naemura stated that he believes that the proceedings have been concluded
27 and deliberation and a decision will occur at the next Public Hearing.

28
29 Mr. Osterberg observed that public testimony and rebuttal have been completed,
30 adding that the City Council will meet on October 23, 2000 for final questions to
31 staff and deliberation and a decision by the City Council.

32
33 Chairman Maks commented that on October 18, 2000, the Comprehensive Plan
34 Land Use Element would be continued.

35
36 On question, Mr. Osterberg advised that the Merlo Station Area Plan Work
37 Session is scheduled for October 25, 2000.

38
39 The meeting adjourned at .8:51p.m.